REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 45-63 are currently pending, with Claims 45 and 58-63 being independent. Claims 45 and 58-63 have been amended by this amendment. No new matter has been added.

Office Action Summary

Claims 45-55 and 58-63 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 7,246,313 to Sung et al. (hereinafter "Sung") in view of U.S. Publication No. 2004/0181550 to Warsta et al. (hereinafter "Warsta"); and Claims 56 and 57 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sung in view of Warsta, further in view of U.S. Patent No. 6,993,553 to Kaneko et al. (hereinafter "Kaneko").

Rejection of Claims 45-55 and 58-63 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of Claims 45-55 and 58-63 under 35 U.S.C. § 103(a) with respect to the amended independent claims.

Briefly summarizing, amended Claim 45 recites a data processing device including an obtaining unit and a message editing and creating unit. The obtaining unit is configured to receive first data from a first user. The first data includes a plurality of items of information including (1) message creation supporting information for guiding a second user in inputting at least one of text, image, sound, and movie to be included in message data, and (2) message browsing information for presenting the message data for a user's perception. The message editing and creating unit is configured to edit the message browsing information included in the first data based on the information included in said message creation supporting information. Further, the message editing and creating unit is also configured to create second data including

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the plurality of items of the information including the message creation supporting information and the edited message browsing information. Further, each of the plurality of items of information included in the first and second data is a component of one or both of the message creation supporting information and the message browsing information. Furthermore, the second data including the message creation supporting information and the edited message browsing information is transmitted to a third user.

Thus, as amended, Claim 45 recites that first data is received from a first user. This first data includes, *inter alia*, message creation supporting information for guiding a second user in inputting at least one of text, image, sound, and move to be included in message data (which is included in second data). Further, the second data including the message creation supporting information and the edited message browsing information is transmitted to a third user.

The features recited in Claim 45 advantageously enable a first user to transmit a message to a second user. The second user receives the message, and creates a new message based on the information received from the first user, and transmits the new message to a third user. Independent Claims 58-63 are directed to alternate embodiments, but have been amended similarly to Claim 45, to embrace the advantageous features noted above.

Applicants respectfully submit that no proper combination of the applied references teaches or suggests all features recited in Claim 45. Sung describes a MMS authoring system based on SMIL messages. Sung describes the concept of a "template document" and a "control document." An example of a template document is illustrated in the upper portion of Fig. 3 of Sung, and an example of a control document is illustrated in the lower portion of Fig. 3. The template document is written in SMIL and specifies an image (a.jpg) to be displayed for a duration of 60 seconds, along with an audio file (z.wav) being played. The control document

includes a prompt for a user ("select an image that you wish to change") related to the image

specified in the template document. Fig. 7 of Sung illustrates an example where the template

document and the control document are included in a single message.

The Office Action apparently asserts that the "control document" of Sung corresponds to

the "message creation supporting information," as claimed, and that the "template document" of

Sung corresponds to the "message browsing information," as claimed.

Applicants respectfully disagree, because amended Claim 45 clearly recites the source

and destination of the message creation supporting information and the message browsing

information. Namely, the message creation supporting information and the message browsing

information is first received from a first user, edited by a second user, and transmitted (after

editing) to a third user. Sung lacks all of these features.

In stark contrast with the amended claims, Sung teaches that the control document

(alleged to correspond to the message creation supporting information) must either be <u>already</u>

<u>present</u> on the user's terminal or is to be <u>downloaded from a content provider server</u>:

> If a user wishes to produce and transmit a multimedia message according to the
> present invention, a template document of a general format of a message to be
> transmitted to another user, <u>a control document</u> designating an editable portion of
> the template document, and default multimedia files, such as video, audio, and
> image files, <u>should be included in a database of the user's terminal</u>, and if not,
> they <u>should be downloaded from a contents provider server</u>. Here, the template
> document and control document can be either independent documents or a single
> document incorporating the template document into the control document. (Sung,
> col. 5, ll. 46-56, emphasis added.)

Thus, Sung does not teach or suggest that the control document is <u>received from a first</u>

<u>user</u>, as claimed. Therefore, even under the interpretation of Sung advanced by the Office

Action, Sung does not teach or suggest the message creation support information, nor the

message browsing information as recited in the amended independent claims.

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Applicants respectfully submit that Warsta fails to cure the above-noted deficiencies of Sung. Indeed, the Office Action does not assert otherwise, and only relies on Warsta as allegedly teaching a "message editing and creating unit" as claimed, which is lacking in Sung (as conceded by the Office Action).

Therefore, no proper combination of the applied references teaches or suggests a data processing device with all features as recited in independent Claim 45. Independent Claims 58-63 have been amended similarly to Claim 45. Accordingly, Applicants respectfully submit that Claims 45 and 58-63 (and all associated dependent claims) patentably define over any proper combination of the applied references, and request that the rejection of Claims 45-55 and 58-63 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of Claims 56 and 57 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of Claims 56 and 57 under 35 U.S.C. § 103(a), and submit that Kaneko fails to cure the deficiencies of the combination of Sung and Warsta noted above. Accordingly, Applicants respectfully request that the rejection of Claims 56 and 57 under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact George Dolina, Registration No. 63,654 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: June 8, 2011

Respectfully submitted,

By

Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000